

**FREDERICK COUNTY LIQUOR BOARD**  
***Public Meeting Minutes***  
***Monday, August 26, 2013***

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Those Present: Mr. Dick Zimmerman, Chairman  
Mrs. Maggi Hays, Board Member  
Mr. Rick Stup, Board Member  
Mrs. Linda B. Thall, Sr. Assistant County Attorney  
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector  
Ms. Kathy L. Vahle, Administrator  
Mrs. Sandra Rees, Administrative Specialist IV  
Mrs. Penny Bussard, Administrative Specialist IV

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A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:45 am by Chairman Zimmerman.

1. **Notice for the New Class DBR License** – Ms. Vahle stated that the Notice for the Class DBR License and On-Site Consumption Permit will be published in the Frederick News Post on September 9 and September 16, 2013. The Public Hearing will be scheduled for September 30, 2013. The fees will be \$2,000 for the On-Site Consumption Permit and \$500 for the Class DBR License.
2. **Cruvinaet Wine System** – Ms. Vahle stated that Orion Liquors requested permission to have this system in place for tastings. She stated she contacted other counties and none of them that have responded have this system. The owners of this establishment will discuss this system with the Board today.
3. **DJ Liquors** - Ms. Vahle received a request from this establishment to add a Beer, Wine and Liquor Tasting and Delivery service to their license.

**MOTION:** Mr. Stup made a motion for approval of both requests.

**SECOND:** Mr. Zimmerman seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup – Aye  
Mr. Zimmerman – Aye

Mrs. Hays - Nay

The vote was **Aye – 2 Nay – 1**  
**(Motion Passed)**

4. **Monkey La La** – Monkey La La has previously been approved to expand to the upstairs but does not have all the final approvals. He is requesting the Board's approval to be able to use this upstairs area for banquets only in the winter once he has the approvals. He will not be fully opening this upstairs area until spring when seafood season comes in. Mr. Polcari will notify the Liquor Board for each event.

**MOTION:** Mrs. Hays made a motion for approval of the request.

**SECOND:** Mr. Stup seconded the motion with the contingency that a two weeks notice is required prior to each event.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup – Aye  
Mrs. Hays - Aye  
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

5. **Violations** - Mr. Stup asked when a list of violations would be given to the Board. Mrs. Thall stated that Ms. Vahle had given them to her to review. Ms. Vahle stated that it takes a month to schedule a Violation Hearing.
6. **New Part-Time Liquor Inspector** – The Board of County Commissioners will consider signing the Memo of Understanding on August 29, 2013 at 10AM. Once that is done we can hire the new Inspector.
7. Decision Required: Transfer

**TRANSFER FROM:**

RE: Michael A. Matussek

for the use of Pit Boss  
Urbana Inc.  
t/a Black Hog BBQ II  
3323-3325 Worthington  
Blvd.  
Frederick, MD 21701  
Class B, On Sale, Beer, Wine & Liquor

**TRANSFER TO:**

RE: Ronald Lee Musselman  
for the use of Pit Boss  
Urbana Inc.  
t/a Black Hog BBQ II  
3323-3325 Worthington  
Blvd.  
Frederick, MD 21701  
Class B, On Sale, Beer, Wine & Liquor

Ms. Vahle swore in the applicants (See attached Sign In Sheet).  
There were no pending items. Inspector DeLauter stated they are  
compliant.

**MOTION:** Mrs. Hays made a motion for approval.

**SECOND:** Mr. Stup seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the  
motion.

**VOTE:** Mrs. Hays – Aye  
Mr. Stup - Aye  
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

7. Decision Required: Violation

RE: Charles D. Jones and Rayann M.  
Jones  
For the use of New Lohr's Family R  
& C Inc.  
t/a **New Lohr's Family R & C Inc.**  
911 E. Patrick Street  
Frederick, MD 21701

Class B, On Sale, Beer and Wine  
License Number 11BW 1147  
Case # 6561

The Board scheduled a violation hearing for Failing to Pick Up the License on time and Not having an Alcohol Awareness person. A Public Hearing letter was sent on July 16, 2013. The licensee did not appear at the scheduled hearing. Another charge will be added for Failing to Appear and another letter will be sent out rescheduling the hearing.

**MOTION:** Mr. Stup made a motion to reschedule the hearing with the additional charge.

**SECOND:** Mrs. Hays seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup – Aye  
Mrs. Hays - Aye  
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

8. **Correction for FNP** – Mrs. Hays stated that on August 24, 2013 on page #9 in the Frederick News Post regarding the indoor wine garden vote received two approval votes from the Liquor Board and was also approved by the Fair Board. She stated that she made a motion for approval and it was seconded, and the vote was unanimous. She would like that made as a correction. Ms. Vahle will notify the Frederick News Post of the correction.

**MOTION:** Mrs. Hays made a motion to have the article corrected.

**SECOND:** Mr. Stup seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mrs. Hays – Aye  
Mr. Stup - Aye

Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

9. Decision Required: approval of the Public Meeting Minutes for August 19, 2013.

**MOTION:** Mr. Stup made a motion to approve the Public Meeting Minutes for August 19, 2013.

**SECOND:** Mrs. Hays seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup - Aye  
Mrs. Hays - Aye  
Mr. Zimmerman – Aye

The vote was unanimous. **Aye – 3 Nays – 0**  
**(Motion Passed)**

10. **Orion Wine & Spirits** – Charlie and Tom Seymour discussed installing the Cruvinaet Wine System in their store. They are requesting to have six bottles of wine open and two unopened bottles in this system. Ms. Vahle said the law only allows six bottles to be opened at one time. Mr. Seymour says this system is in use in Annapolis, Montgomery County and Howard County. They have asked if vendors can open wine that is not included in the six bottle limit for tastings. Ms. Vahle will contact the Comptroller to discuss this request.

**MOTION:** Mr. Stup made a motion to permit 8 bottles, 6 opened and 2 others unopened.

**SECOND:** Mrs. Hays seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup - Aye  
Mrs. Hays - Aye

Mr. Zimmerman – Aye

The vote was unanimous. ***Aye – 3 Nays – 0***  
***(Motion Passed)***

**ADJOURN**

The meeting was adjourned at 9:43 am.

Respectfully submitted,

Kathy Vahle, Administrator  
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees